

REMARKS

Claims 2-5 are pending in the application. Claim 1 is canceled. Claims 2, 3 and 5 are amended to independent form. Claim 5 is further amended to clarify that heat treatment of the gasket occurs prior to a reflow step.

Drawings

The drawings filed on August 10, 2006 were objected to by the Examiner. Replacement sheets are herein submitted labeling Figures 4, 5a, 5b, 5c and 6 as “Prior Art” in compliance with the Office’s request. Applicants respectfully request removal of the objections.

Objections

The Examiner objected to the use of the word “a” rather than “the” in lines 5 and 6 of Claim 1 (as above) in reference to the pair of polarizing electrodes. It is believed that the amended claims overcome the objection.

Allowable Subject Matter

Applicants appreciate the indication that claims 2-4 contain allowable subject matter. Claims 2 and 3 have been amended to independent form.

Claims 1 and 5 were rejected under 35 U.S.C. §103 over Kwon et al. (US 2003/0012581) in view of JP 11-251202. Favorable reconsideration is requested.

Claim 5 hereby amended. The amendment to claim 5 is supported by the specification as originally filed. (See [0022] at page 10, lines 17-20 which recites “the gasket...is *previously* subjected to a heat treatment...”, emphasis added.) By this heat treatment, the gasket (8) is crystallized and becomes physically stabilized. This can improve the adhesion between the

gasket (8) and the exterior case (5). Thus, the process limitation leads to a product structurally distinguishable from the reference art.

In addition to the structural distinction provided by the heat treatment discussed above, Kwon does not teach “a storage space formed by the exterior case and the exterior cover.” Kwon shows that the area between the exterior cover (22) and the exterior case (22') is entirely filled with gasket (40). (See FIG. 2.) JP 11-251202 fails to provide the teachings which Kwon lacks. Accordingly, amended claim 5 distinguishes over the cited art.

Claims 1 and 5 were rejected under 35 U.S.C. §103(a) over JP 01-222426 in view of JP 8-298232. Favorable reconsideration of this rejection is earnestly solicited.

JP '426 and JP '232 do not teach or suggest the structural features provided by the claimed heat treatment discussed above.

Applicants submit that that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned agent to arrange for an interview to expedite the disposition of this case.

Application No. 10/579,721
Attorney Docket No. 062525

Amendment under 37 C.F.R. §1.111

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Katherine N. Addison".

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Enclosures: Replacement of figures 4, 5a, 5b, 5c and 6.